

EP Resolution on Frontex Fact-Finding Investigation

Cornelia Riehle

News

On 14 December 2023, the European Parliament (EP) [adopted a Resolution](#) on the fact-finding investigation of the LIBE Frontex Scrutiny Working Group (FSWG) (→ [eucri](#)m news of 27 November 2023).

With 366 votes in favour, 154 against, and 15 abstaining, the need for an effective and well-functioning European Border and Coast Guard Agency became clear. The [EP resolution](#) reinforces both the increased responsibility and budget of the agency (which saw its budget increase from €114 million in 2015 to €750 million in 2022), which needs to be reflected in increased accountability and transparency as well as increased scrutiny of the agency's respect for Union law.

Looking at Frontex management, the resolution recognizes that significant managerial changes were introduced over the last two years. Nevertheless, MEPs call on the new leadership to undertake the extensive reforms needed and call on the Frontex management board to evaluate how to step up its involvement and scrutiny of the way in which the agency is run.

The MEPs expressed their disappointment that - despite the FSWG - the Commission, Frontex management, and OLAF failed to share pertinent information: During the appointment procedure of the new executive director, one of the candidates proposed for the post was "a person of interest" in the second ongoing OLAF investigation against Frontex. MEPs claim that this failure to share information constitutes a breach of the principle of mutual and sincere cooperation that governs relationships between institutions, agencies, bodies, and offices of the Union.

While efforts have been made by Frontex to implement the FSWG recommendations (36 out of 42), MEPs recommend that further specific actions be taken, such as earlier involvement of the Fundamental Rights Officer and the integration of a transparent reporting mechanism during the development of operational plans. Furthermore, formal guarantees should be established to ensure that rules and safeguards on whistleblower protection are applicable to seconded national experts, trainees, interim staff, and local agents.

With regard to the agency's transparency and scrutiny, MEPs are satisfied with the newly introduced "dashboard", a reporting tool designed to provide Parliament and the Council with an up-to-date overview of Frontex activities. However, OLAF reports on the agency should still be made public in cases of overriding public interest in disclosure, and relevant Members of Parliament should be given access to such reports in all such cases. Lastly, MEPs endorsed the recommendations of the European Ombudsman for Frontex to take a more proactive approach towards transparency, with a view to ensuring greater accountability for its operations.

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In the area of fundamental rights, MEPs continue to harbour severe concerns regarding the serious and persistent allegations made against Greek authorities in relation to pushbacks and violence against migrants and regarding the ongoing return-related operations in Hungary. In addition, MEPs request that the agency ensure full cooperation for the inquiry following the drowning of hundreds of people off the coast of Greece on 14 June 2023.

Taking note of the crucial role of the Union in preventing the deaths of migrants attempting to cross the Mediterranean Sea, Frontex needs to play a key role in search and rescue, taking a more proactive response on the part of the EU and its Member States , particularly in the Mediterranean Sea and in the fight against criminal smugglers and human traffickers.

Lastly, looking at the Russian invasion of Ukraine, MEPs welcome the role played by Frontex in the following:

- Helping EU Member States deal with the large numbers of people crossing the EU's external borders;
 - Deploying approx. 500 standing corps officers along the eastern EU border from Finland to Romania;
 - Offering support to Moldovan authorities;
 - Signing a grant agreement worth €12 million between Frontex and the Ukrainian State Border Guard Service to support Ukrainian border officers in performing their duties.
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